

EXHIBIT F

REDACTED



1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 ALEXANDRIA DIVISION

4
5 UNITED STATES OF AMERICA,)
6 et al.,)
7 Plaintiffs,)
8 vs.) Case No.
9 GOOGLE, LLC,) 1:23-cv-00108-LMB-JFA
10 Defendant.)
10 _____)

11
12
13
14 HIGHLY CONFIDENTIAL

15 REMOTE VIDEOTAPED DEPOSITION OF

16
17 JOHN GENTRY

18 THURSDAY, OCTOBER 26, 2023

19
20
21
22
23
24 Reported in Stenotype by:
25 Cody R. Knacke, RPR, CSR No. 13691
Job No.: 916483

			Page 6	Page 8
1	I - N - D - E - X (Continued)			
2				1 First question, Mr. Gentry: Can you say
3	E - X - H - I - B - I - T - S			2 and spell your name for the record.
4	DEFENDANT'S DESCRIPTION	PAGE		3 A. Sure. John David Gentry. J-O-H-N
5	Exhibit 18 Presentation "Budget Meeting	226		4 D-A-V-I-D G-E-N-T-R-Y.
6	Follow Ups January 2019,"			5 Q. Okay. Let me really quickly go over a few
7	Bates Nos. OPENX-00001645 to			6 guidelines for the deposition.
8	1676			7 The first guideline: Since there's a court
9	Exhibit 19 Presentation "The Operating	229		8 reporter here transcribing what we say, please do
10	Playbook," Bates Nos.			9 your best to answer audibly as opposed to with
11	OPENX-0000682 to 719			10 gestures, which I am doing right now, or, you know,
12	Exhibit 20 E-mail correspondence dated	232		11 "uh-huh" or "um" or that kind of thing. That'll
13	12/6/2013, Bates Nos.			12 make the record clear.
14	OPENX-00013598 to 13600			13 Does that make sense?
15	Exhibit 21 Presentation "Company Meeting	240		14 A. Yes.
16	January 2017," Bates Nos.			15 Q. Second, please do your best to let me
17	OPENX-00000611 to 630			16 finish my question before you start your answer,
18	Exhibit 22 Presentation "Neil-OpenX	266		17 even if you know where I'm going.
19	Discussion," Bates Nos.			18 And on my end, I'll do my best to let you
20	OPENX-00001018 to 1049			19 finish your answer before I start another question.
21	QUESTIONS INSTRUCTED NOT TO ANSWER			20 Does that make sense?
22	PAGE LINE			21 A. Yes.
23	134 13			22 Q. And then the last guideline: In terms of
24	INFORMATION REQUESTED			23 breaks, we'll probably plan to take a break about
25	None.			24 once an hour. But if you need a break at a
				25 different time, just let me know, and we can
			Page 7	Page 9
1	THURSDAY, OCTOBER 26, 2023			1 accommodate that.
2	8:59 A.M.			2 Does that make sense?
3	THE VIDEOGRAPHER: Okay. Good morning,			3 A. Yes.
4	everyone. We are now on the record.			4 Q. A few more things. For all of my
5	My name is Gabriela Alvarez. I am the			5 questions, unless I say otherwise, I'd like you to
6	videographer representing Lexitas.			6 answer based on your personal knowledge only.
7	This video deposition is for the			7 Does that make sense?
8	United States District Court for the Eastern			8 A. Yes.
9	District of Virginia.			9 Q. So for my questions, unless I say
10	Today's date is October 26, 2023, and the			10 otherwise, I'm not asking you about information you
11	time is 8:59 a.m. Pacific time.			11 learned during your preparation for the deposition
12	This deposition is being held remotely in			12 that relates to something that someone else at OpenX
13	the matter of the United States of America, et al.,			13 knows but that you do not have personal knowledge
14	versus Google LLC, Case Number 1:23-cv-00108.			14 of.
15	The deponent today is Mr. John Gentry.			15 Does that make sense?
16	All counsel will be noted in the			16 A. Yes.
17	stenographic record.			17 Q. If at any point you feel like you have
18	And the court reporter today is			18 information that is within the knowledge of OpenX
19	Cody Knacke. He will now swear in the witness.			19 but not your personal knowledge that's responsive to
20	JOHN GENTRY,			20 one of the questions that I asked, please say that,
21	called as a witness, having been first duly sworn,			21 and we'll take it from there.
22	testified as follows:			22 Does that make sense?
23	EXAMINATION			23 A. Mostly.
24	BY MR. VERNON:			24 Do you have an example of just what that
25	Q. Good morning, Mr. Gentry, and everybody.			25 would be?

Page 10	Page 12
<p>1 Q. Yeah, just if I ask you a question and you 2 realize that you learned something in preparation 3 for your deposition that really isn't based on your 4 own personal experience but instead it's based on 5 someone else at OpenX's knowledge and you feel that 6 it's responsive to my question, then just say -- you 7 know, describe what I've just said. Say it's within 8 someone else's knowledge.</p> <p>9 A. Okay.</p> <p>10 Q. And we'll kind of take it from there. 11 Does that make sense?</p> <p>12 A. Yeah.</p> <p>13 Q. Do you understand that the information you 14 provide during this deposition may be used by the 15 Department of Justice in other civil, criminal, 16 administrative, or regulatory cases or proceedings?</p> <p>17 A. Yes.</p> <p>18 Q. Let me ask you about your background. 19 Where were you born and raised?</p> <p>20 A. I was born in Los Angeles, California, and 21 I grew up in Palos Verdes, California, Palos Verdes 22 Estates.</p> <p>23 Q. Can you describe your educational 24 background?</p> <p>25 A. Sure. High school here in the local</p>	<p>1 that allow them to bid on behalf of advertisers to 2 place an advertisement in that space.</p> <p>3 Q. Okay. As CEO of OpenX, what are your main 4 responsibilities?</p> <p>5 A. My main responsibilities are for everything 6 at the company. You know, the classic CEO 7 responsibilities would be strategy, funding, people, 8 culture.</p> <p>9 Q. And can you describe sort of your 10 background at OpenX, meaning the other positions you 11 held prior to becoming CEO?</p> <p>12 A. Sure. I joined OpenX originally as a 13 consultant in early 2012. I believe it was either 14 February or March. I became full-time in 15 September 1st of 2013 as president of the company. 16 I had responsibility for everything other than 17 finance, legal, HR, comms.</p> <p>18 And then I became the CEO of the company in 19 February of 2020.</p> <p>20 Q. I'd like to ask you some questions about 21 the publisher ad service business.</p> <p>22 Is that okay?</p> <p>23 A. Sure.</p> <p>24 Q. What was OpenX's first product?</p> <p>25 A. First product was an ad server.</p>
Page 11	Page 13
<p>1 community, Palos Verdes Estates. I went to college 2 for two years at UC Santa Barbara, two years at 3 UCLA. Graduated from UCLA. And then I got my 4 master's in business from the Kellogg School at 5 Northwestern.</p> <p>6 Q. And you are the CEO of OpenX; is that 7 right?</p> <p>8 A. Yes.</p> <p>9 Q. Can you briefly describe, at a high level, 10 what OpenX is.</p> <p>11 A. OpenX is a global ad exchange, would be the 12 simple description of it.</p> <p>13 Q. And what is an ad exchange, just at a high 14 level?</p> <p>15 A. Okay. So what we do is we support 16 publishers and their ability to sell their 17 inventory. We do that by aggregating publisher 18 demand from across thousands of publishers. They 19 will send ad requests to us when a given page on 20 their website or app opened, also potentially in a 21 CTV app as well.</p> <p>22 At that point, we will then take those ad 23 requests and submit those through and federate those 24 out to a lot of what we call DSPs, demand-side 25 partners, who also have technology and algorithms</p>	<p>1 Originally, it was an open source ad server when the 2 company was founded before I was there, and then 3 they took that with the intention of turning it into 4 a for-pay ad server and run a, you know, for-pay ad 5 server into the marketplace. Again, before I was 6 there.</p> <p>7 Q. Does OpenX still operate a publisher ad 8 server today?</p> <p>9 A. No, we don't.</p> <p>10 Q. And just roughly, when did OpenX stop 11 operating a publisher ad server?</p> <p>12 A. I think we started winding it down and 13 recognizing the essential challenges as early as 14 2015. I believe we wound it down in 2018, 2019. 15 There was kind of a piece-by-piece process to that.</p> <p>16 Q. When OpenX competed in the publisher ad 17 server business, which company had the largest 18 publisher ad server?</p> <p>19 A. Google.</p> <p>20 Q. And what was Google's publisher ad server 21 known as?</p> <p>22 A. DFP, DoubleClick for Publishers.</p> <p>23 Q. If a publisher used a publisher ad server 24 other than Google's DFP, how much access did they 25 have to AdX?</p>

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<p>1 MS. LEE: Objection. Form.</p> <p>2 THE WITNESS: Sorry.</p> <p>3 BY MR. VERNON:</p> <p>4 Q. Can you just repeat your answer?</p> <p>5 A. Zero. We did not have access to AdX.</p> <p>6 Q. And I think I should back up.</p> <p>7 What is AdX?</p> <p>8 A. AdX is the SSP, or supply-side platform --</p> <p>9 which is what we are -- that Google owns, is</p> <p>10 connected to what today is called GAM, which is the</p> <p>11 Google ad server product, which was formerly DFP.</p> <p>12 Q. How, if at all, did the fact that the</p> <p>13 publishers have zero access to AdX if they did not</p> <p>14 use DFP as their publisher ad server affect OpenX's</p> <p>15 ability to compete with DFP in the publisher ad</p> <p>16 server business?</p> <p>17 MS. LEE: Objection to form.</p> <p>18 BY MR. VERNON:</p> <p>19 Q. Go ahead.</p> <p>20 A. Sorry. If I can speak. I don't know -- am</p> <p>21 I allowed to --</p> <p>22 Q. Oh, yeah. Okay.</p> <p>23 So if a lawyer objects, just pause for a</p> <p>24 second, let them make their objection, and then you</p> <p>25 can go ahead and answer.</p>	<p>1 much lower amount of potential revenue that they</p> <p>2 could acquire and, as a result, much less</p> <p>3 monetization. So it was economically an unwise</p> <p>4 choice for them to choose to go with someone that</p> <p>5 did not have access to the largest pool of demand.</p> <p>6 Q. How successful, if at all, was OpenX at</p> <p>7 convincing publishers to switch from DFP as their</p> <p>8 publisher ad server to OpenX as their publisher ad</p> <p>9 server?</p> <p>10 A. Personal knowledge --</p> <p>11 MS. LEE: Objection to form.</p> <p>12 THE WITNESS: My personal knowledge is that</p> <p>13 I don't think we ever managed to switch somebody</p> <p>14 over. We often -- we often switched from other ad</p> <p>15 servers but not from DFP.</p> <p>16 BY MR. VERNON:</p> <p>17 Q. So what's your understanding of why OpenX</p> <p>18 was, to your knowledge, unable to convince</p> <p>19 publishers to switch from Google's DFP to OpenX's ad</p> <p>20 server?</p> <p>21 MS. LEE: Objection to form.</p> <p>22 THE WITNESS: Because we did not have the</p> <p>23 access to AdX that we could offer a somewhat</p> <p>24 competitive similar offering to DFP.</p> <p>25 ///</p>
<p>1 The only difference is if a lawyer</p> <p>2 instructs you not to answer, which probably would be</p> <p>3 your lawyer if it happens, that's a different thing,</p> <p>4 and we will deal with that if that happens.</p> <p>5 Does that make sense?</p> <p>6 A. Yeah, no problem.</p> <p>7 Q. Let me just -- to make it clear, I'll</p> <p>8 repeat my question.</p> <p>9 A. That'd be great.</p> <p>10 Q. How, if at all, did the fact that</p> <p>11 publishers had zero access to AdX if they did not</p> <p>12 use Google's DFP as their publisher ad server affect</p> <p>13 OpenX's ability to compete with DFP in the publisher</p> <p>14 ad server business?</p> <p>15 MS. LEE: Objection to form.</p> <p>16 THE WITNESS: It prevented our ability to</p> <p>17 compete in the publisher ad server business over</p> <p>18 time.</p> <p>19 BY MR. VERNON:</p> <p>20 Q. What do you mean by that?</p> <p>21 A. Fundamentally, the inability for OpenX to</p> <p>22 offer an ad server that could access the largest</p> <p>23 source of advertiser demand in the Internet, which</p> <p>24 was represented by AdX, imagine if a publisher went</p> <p>25 with the OpenX ad server, they were going to have a</p>	<p>1 BY MR. VERNON:</p> <p>2 Q. What was the main reason that OpenX exited</p> <p>3 the publisher ad server business?</p> <p>4 A. The main reason was because we could not</p> <p>5 get access. As an asset, we could not get access to</p> <p>6 AdX demand.</p> <p>7 Q. What impact, if any, is there on</p> <p>8 competition in the publisher ad server business from</p> <p>9 the fact that publishers cannot access AdX demand</p> <p>10 unless they use DFP as their publisher ad server?</p> <p>11 MS. LEE: Objection to form.</p> <p>12 THE WITNESS: You cannot compete as an ad</p> <p>13 server if you do not have the ability to access a</p> <p>14 similar amount of demand as your competition.</p> <p>15 BY MR. VERNON:</p> <p>16 Q. How would you characterize Google's</p> <p>17 position in the display publisher ad server</p> <p>18 business?</p> <p>19 MS. LEE: Objection to form.</p> <p>20 THE WITNESS: Dominant, I think at this</p> <p>21 point, 90 percent-plus share.</p> <p>22 BY MR. VERNON:</p> <p>23 Q. And what's the main reason why Google has a</p> <p>24 dominant position in the publisher ad server</p> <p>25 business for display?</p>

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<p>1 the drop began, we asked them many, many times as to 2 why the drop had occurred. You know, this was -- 3 this was a normal course of business to ask them 4 about what was going on with spend, as we do with 5 all of our DSP partners.</p> <p>6 We were told that everything looked normal, 7 there was no problem on their end, their systems 8 were all normal, which made us, at the time, assume 9 that we had something wrong, but we had no idea what 10 was going on.</p> <p>11 BY MR. VERNON:</p> <p>12 Q. Do you feel that Google gave OpenX an 13 honest answer as to why DV360's spending on OpenX 14 went down?</p> <p>15 MS. LEE: Objection to form.</p> <p>16 THE WITNESS: No.</p> <p>17 BY MR. VERNON:</p> <p>18 Q. Why do you say that?</p> <p>19 A. Well, just from the complaint, reading the 20 complaint and learning there was a project named 21 Poirot that appeared designed to target specific 22 exchanges and lower the spend on those exchanges. 23 That was a new piece of information to us.</p> <p>24 Q. In the display exchange business, what 25 display exchange is the largest?</p>	<p>1 set -- the people we're trying to take share from 2 day in and day out are often the PubMatics or 3 Magnites of the world.</p> <p>4 BY MR. VERNON:</p> <p>5 Q. At one point you referred to Google having 6 end-to-end control of DV360 from AdX to the ad 7 server.</p> <p>8 What did you mean by that?</p> <p>9 MS. LEE: Objection to form.</p> <p>10 THE WITNESS: They'll take an advertiser's 11 dollar from DV360 -- and that could be a dollar 12 that's from DV360 acting as a DSP or from the Google 13 ad network running through DV360 -- they will funnel 14 those dollars through AdX. And then because they 15 own the ad server, they have the ability to deeply 16 understand exactly what is happening, which bids are 17 winning, and what the rules are of a publisher ad 18 server that determines how the revenue flows into a 19 publisher's ad server.</p> <p>20 BY MR. VERNON:</p> <p>21 Q. Understood.</p> <p>22 Let me ask you some questions about price 23 floors and Google's unified pricing rules. Is that 24 okay?</p> <p>25 A. Sure.</p>
Page 27	Page 29
<p>1 MS. LEE: Objection to form.</p> <p>2 THE WITNESS: The largest exchange in the 3 display business is AdX.</p> <p>4 BY MR. VERNON:</p> <p>5 Q. And AdX is Google's exchange; is that fair?</p> <p>6 A. That is true, yes.</p> <p>7 Q. So Google has both the largest display 8 exchange and one of the largest DSPs; is that fair?</p> <p>9 A. Yes, that's fair.</p> <p>10 MS. LEE: Objection to form.</p> <p>11 BY MR. VERNON:</p> <p>12 Q. How easy or difficult is it for OpenX to 13 compete against Google's AdX given that Google is 14 also one of the largest buyers on OpenX's exchange?</p> <p>15 MS. LEE: Objection to form.</p> <p>16 THE WITNESS: Honestly, when we look at our 17 competitive set, we would like to be able to compete 18 with Google, but Google's really in a class of its 19 own, given its end-to-end control from the DSP side 20 with DV360 to AdX to control of the ad server.</p> <p>21 So -- well, technically, as an SSP to 22 compete with AdX, I cannot think of a time when we 23 successfully changed things with AdX that much, 24 other than the introduction of header bidding.</p> <p>25 But in general, we look at our competitive</p>	<p>1 Q. In the context of display advertising, what 2 is a price floor?</p> <p>3 A. A price floor is a floor set typically set 4 by a publisher that gets passed along through an SSP 5 or ad exchange to a DSP that's establishing the 6 minimum price their publisher's asking -- expecting 7 to be paid for that unit of inventory that they are 8 offering.</p> <p>9 Q. Prior to Google's unified pricing rules, to 10 what extent did publishers set different price 11 floors for different exchanges?</p> <p>12 MS. LEE: Objection to form.</p> <p>13 THE WITNESS: It varies by publisher, but 14 it was common practice for publishers to set a 15 different floor for Google than they would set for 16 perhaps the independent exchanges.</p> <p>17 BY MR. VERNON:</p> <p>18 Q. And prior to Google's uniform pricing 19 rules, why did publishers set a different price 20 floor for Google than for the other exchanges?</p> <p>21 MS. LEE: Objection to form.</p> <p>22 THE WITNESS: There was a couple different 23 reasons. I think that the two biggest ones that I'm 24 aware of: One, publishers that were aware that with 25 the amount of demand that Google had being so much</p>

<p style="text-align: right;">Page 30</p> <p>1 larger than the various independent exchanges, that 2 Google had a higher probability that they could pay 3 more for a given piece of inventory than one of the 4 independent exchanges.</p> <p>5 So, as a result, they wanted to send Google 6 a higher floor with the knowledge that Google could 7 likely pay that and had the demand to pay that.</p> <p>8 The second reason publishers expressed to 9 me when talking about this was they liked the idea 10 of trying to diversify their revenue. And if Google 11 did not pay the higher floor, then they, you know, 12 had less revenue coming in from Google and more 13 coming in from independent exchanges.</p> <p>14 BY MR. VERNON:</p> <p>15 Q. And why would a publisher want to manage 16 their price floors to have less revenue from Google 17 and more revenue from other exchanges?</p> <p>18 MS. LEE: Objection to form.</p> <p>19 THE WITNESS: Most publishers would express 20 to me that they were concerned about the reliance on 21 Google revenue and the significant amount of 22 Google -- significant percentage of revenue that 23 Google represented of their total.</p> <p>24 BY MR. VERNON:</p> <p>25 Q. How, if at all, did Google's unified</p>	<p style="text-align: right;">Page 32</p> <p>1 has any realistic opportunity or would think 2 necessarily about switching off of Google's ad 3 server.</p> <p>4 So with that being the case, they could 5 make, really, whatever changes they want to make 6 despite the fact that, you know, a publisher might 7 not like it.</p> <p>8 BY MR. VERNON:</p> <p>9 Q. Fair to say that prior to Google's uniform 10 price rules, publishers could try to give AdX a 11 higher floor to shift transactions from AdX to other 12 exchanges? Is that fair?</p> <p>13 MS. LEE: Objection to form.</p> <p>14 THE WITNESS: Yes. And --</p> <p>15 BY MR. VERNON:</p> <p>16 Q. And shift -- sorry. Go ahead.</p> <p>17 A. No, that's fine. That's fine.</p> <p>18 The answer's "Yes."</p> <p>19 Q. Shifting transactions from AdX to other 20 exchanges could potentially make the exchange market 21 more competitive. Is that fair?</p> <p>22 A. Yes.</p> <p>23 MS. LEE: Objection to form.</p> <p>24 BY MR. VERNON:</p> <p>25 Q. So what effect, if any, does Google's</p>
<p style="text-align: right;">Page 31</p> <p>1 pricing rules affect publishers' ability to set a 2 higher price floor for AdX than for other exchanges?</p> <p>3 MS. LEE: Objection to form.</p> <p>4 THE WITNESS: My understanding of unified 5 pricing rules is that what Google did was basically 6 establish that a publisher could not set 7 differential floors across their inventory.</p> <p>8 BY MR. VERNON:</p> <p>9 Q. Was Google taking away publishers' ability 10 to set different floors for different exchanges, 11 good or bad, for publishers?</p> <p>12 MS. LEE: Objection to form.</p> <p>13 THE WITNESS: That was a negative to 14 publishers. Publishers were unhappy about that and 15 felt it lowered their degree of control over how 16 they ran their -- their advertising business.</p> <p>17 BY MR. VERNON:</p> <p>18 Q. Why is Google able to control how 19 publishers run this part of their business?</p> <p>20 MS. LEE: Objection to form.</p> <p>21 THE WITNESS: Two reasons: One is that 22 they own and control the ad server. So they decide 23 the product roadmap for the ad server.</p> <p>24 The second is, is that they have such a 25 dominant position that no publisher, at this point,</p>	<p style="text-align: right;">Page 33</p> <p>1 taking away publishers' ability to set higher price 2 floors for AdX have on the level of competition in 3 the exchange business?</p> <p>4 MS. LEE: Objection to form.</p> <p>5 THE WITNESS: It reduces the level of 6 competition in the exchange business by reducing the 7 opportunity for non-Google SSPs to capture 8 publisher -- capture delivery demand of publishers.</p> <p>9 BY MR. VERNON:</p> <p>10 Q. Let me shift topics again and ask you about 11 last look. Is that okay?</p> <p>12 A. Yes.</p> <p>13 Q. In the context of display advertising, what 14 does "last look" mean?</p> <p>15 A. Last look was the ability of the -- of 16 Google to see the bids that are brought into the ad 17 server and, with last look, decide whether they 18 wanted to place another bid of their own after 19 seeing the bids of the competition.</p> <p>20 Q. How, if at all, did Google's last look 21 affect OpenX's ability to compete in the display 22 exchange business?</p> <p>23 MS. LEE: Objection to form.</p> <p>24 THE WITNESS: It was -- it was not an even 25 playing field. Because we could place a bid, and</p>

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<p>1 that any of us had a higher bid.</p> <p>2 BY MR. VERNON:</p> <p>3 Q. And first look -- AdX's first look would 4 also mean that the advertiser that values the 5 impression the most might not acquire the 6 impression; is that fair?</p> <p>7 MS. LEE: Objection to form.</p> <p>8 THE WITNESS: Yes, that's fair.</p> <p>9 BY MR. VERNON:</p> <p>10 Q. So is AdX's first look good or bad for 11 publishers?</p> <p>12 MS. LEE: Objection to form.</p> <p>13 THE WITNESS: Bad, in my opinion.</p> <p>14 BY MR. VERNON:</p> <p>15 Q. And why, in your opinion, is AdX's first 16 look bad for publishers?</p> <p>17 MS. LEE: Objection to form.</p> <p>18 THE WITNESS: Because it does not enable 19 realtime competition from a variety of sources 20 allowing a publisher to get the highest bid -- 21 possible bid for their inventory.</p> <p>22 BY MR. VERNON:</p> <p>23 Q. Apologies if this is a little repetitive. 24 What impact, if any, did AdX's first look 25 have on publishers' ability to get the highest</p>	<p>1 highest valuation of an impression actually won that 2 impression?</p> <p>3 MS. LEE: Objection to form.</p> <p>4 THE WITNESS: It would limit advertisers 5 that existed outside of the -- that were not bidding 6 through AdX that could have had the highest value 7 bid from winning those impressions.</p> <p>8 BY MR. VERNON:</p> <p>9 Q. Okay. Let me ask you a few questions about 10 AdX's position in the display exchange business.</p> <p>11 Is that okay?</p> <p>12 A. Yes.</p> <p>13 Q. How would you characterize AdX's position 14 in the display exchange business?</p> <p>15 MS. LEE: Objection to form.</p> <p>16 THE WITNESS: Dominant.</p> <p>17 BY MR. VERNON:</p> <p>18 Q. And why do you say that AdX is dominant in 19 the display exchange business?</p> <p>20 A. Because it is the delivery point for the 21 largest source of demand in the display business.</p> <p>22 Q. Have you ever seen any publishers stop 23 using AdX?</p> <p>24 MS. LEE: Objection to form.</p> <p>25 THE WITNESS: No.</p>
<p>1 amount of revenue for their impressions?</p> <p>2 MS. LEE: Objection to form.</p> <p>3 THE WITNESS: Because AdX could transact in 4 what is a noncompetitive dynamic, that resulted in a 5 publisher not receiving the highest possible bid for 6 their inventory.</p> <p>7 BY MR. VERNON:</p> <p>8 Q. In your opinion was AdX's first look good 9 or bad for advertisers?</p> <p>10 MS. LEE: Objection to form.</p> <p>11 THE WITNESS: I think it was bad for 12 advertisers.</p> <p>13 BY MR. VERNON:</p> <p>14 Q. And why do you think that AdX's first look 15 was bad for advertisers?</p> <p>16 MS. LEE: Objection to form.</p> <p>17 THE WITNESS: Because it created a single 18 channel by which an advertiser could access a 19 publisher's inventory. And you could have an 20 advertiser that wanted to work with a different 21 exchange that did not have the ability to compete 22 with their bid on an equal basis with the AdX bid.</p> <p>23 BY MR. VERNON:</p> <p>24 Q. What impact, if any, did AdX's first look 25 have on the extent to which the advertisers with the</p>	<p>1 BY MR. VERNON:</p> <p>2 Q. Why, as far as you have seen, do publishers 3 not stop using AdX?</p> <p>4 A. Because --</p> <p>5 MS. LEE: Objection to form.</p> <p>6 THE WITNESS: Because it is the delivery 7 point for the largest source of demand for display 8 advertising.</p> <p>9 BY MR. VERNON:</p> <p>10 Q. What competitive advantages, if any, does 11 AdX have when competing against OpenX?</p> <p>12 MS. LEE: Objection to form.</p> <p>13 THE WITNESS: One would be the enormous 14 amount of demand that it gets from being owned by 15 Google. So it's getting proprietary access to 16 Google demand.</p> <p>17 The other would be the knowledge that it 18 gets from Google's ownership of the ad server and 19 the ability for Google to use their knowledge of the 20 ad server, their knowledge of bid prices, their 21 knowledge of winning bid prices to inform AdX 22 bidding strategy.</p> <p>23 BY MR. VERNON:</p> <p>24 Q. Can you explain -- one of the things you 25 said was Google's ownership of the ad server gives</p>

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1 DECLARATION UNDER PENALTY OF PERJURY

2
3 I hereby declare under penalty of perjury
4 that the foregoing is my deposition under oath; that
5 I have read same; and that I have made the
6 corrections, additions, or changes to my answers
7 that I deem necessary.

8
9 In witness thereof, I hereby subscribe my
10 name this day of , 2023.

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JOHN GENTRY

1 COUNTY OF LOS ANGELES,)
2 STATE OF CALIFORNIA,)
3
4 I, Cody R. Knacke, Registered Professional
5 Reporter, Certified Shorthand Reporter in and for
6 the State of California, License No. 13691, hereby
7 certify that the deponent was by me first duly sworn
8 and the foregoing testimony was reported by me and
9 was thereafter transcribed with computer-aided
10 transcription; that the foregoing is a full,
11 complete, and true record of said proceedings.

12 I further certify that I am not of counsel
13 or attorney for either or any of the parties in the
14 foregoing proceedings and caption named or in any
15 way interested in the outcome of the cause in said
16 caption.

17 The dismantling, unsealing, or unbinding of
18 the original transcript will render the reporter's
19 certificate null and void.

20 In witness whereof, I have hereunto set my
21 hand this day: October 27, 2023.

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CODY R. KNACKE, RPR, CSR No. 13691

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1 DEPONENT'S CHANGES OR CORRECTIONS

2
3 Note: If adding to your testimony, print
4 the words you want to add. If deleting from your
5 testimony, print the words you want to delete.
6 Specify with "Add" or "Delete" and sign this form.

7
8 DEPOSITION OF: JOHN GENTRY
9 DATE OF DEPOSITION: OCTOBER 26, 2023

10
11 PAGE LINE CHANGE/ADD/DELETE
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25 Deponent's Signature _____ Date _____